

### **REMARKS**

Claims 61-73 have been rejected by the Examiner. In response, no claims have been amended or canceled. Accordingly, claims 61-73 remain pending.

### **PRIOR FINDING OF ALLOWABLE SUBJECT MATTER**

In the previous Office Action, mailed May 3, 2007, claim 73 was objected to as being allowable but for its dependence on a rejected base claim. In response, Applicants rewrote claim 73 in independent form, incorporating the limitations of the base claim (there were no intervening claims). In the above-identified Office Action, however, the Examiner rejects re-written, independent claim 73 based on a reference, Davis, which was cited and used as a basis of rejection in the prior Office Action (and which the Examiner presumably found not to teach or suggest claim prior, dependent claim 73, since the Examiner found its recitations to be allowable while citing Davis). Applicants respectfully request that the Examiner point out exactly what subject matter of claim 73 was found to be allowable in the prior Office Action but which is lacking in pending claim 73.

### **DOUBLE PATENTING**

On page 8 of the above-identified Office Action, claims 61-73 are rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1-31 of prior U.S. Patent No. 6,720,863 ('863) (of which the present application is a continuation). As noted by the Examiner, this is a statutory-type double patenting rejection. Accordingly, the Examiner asserts that claims 61-73 claim the "same invention" as claims 1-31 of '863. Applicants respectfully disagree.

In rejecting claim 73, the Examiner asserts that claims 1 and 19 of '863 completely disclose all limitations of claim 73. In response, Applicants note that claim 73 recites "rendering a virtual light unit having a plurality of virtual light sources on the touch-screen display." In contrast, claim 19 of '863 recites "rendering a virtual keypad having a plurality of virtual keys on the touch-screen display." Regardless of whether rendering a virtual light unit is obvious in view of the rendering of the virtual keypad recited by claim 19 of '863, claim 73 simply does not recite the same invention claimed in claims 1 and 19 of '863. Accordingly, Applicants

respectfully submit that claim 73 is patentable under §101. Claims 61-72 depend from claim 73 and accordingly are also patentable under §101 for at least the same reason.

**CLAIM REJECTIONS - 35 U.S.C. §103**

1. On page 2 of the above-identified Office Action, claims 62, 63, and 73 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,959,207 to *Keinonen et al.* (hereinafter “Keinonen”) in view of U.S. Patent No. 6,348,860 to *Davis et al.* (hereinafter “Davis”). Applicants respectfully disagree.

When viewed as a whole, claim 73 teaches a processor configured to emulate causing of a light unit to light a selected one of a plurality of light sources to indicate receipt of a message from a source by rendering a virtual light unit having a plurality of virtual light sources on a touch-screen display. In contrast, the combination of Keinonen and Davis does not teach or suggest emulating causing of a light unit to light one of a plurality of light sources to indicate receipt of a message from a source or a virtual light unit having a plurality of virtual light sources.

In support of the rejection, the Examiner cites status display 116 of Figure 2A of Davis as teaching “a light unit”, LEDs 1-38 of Figure 2A and col. 3, lines 59-64 of Davis as teaching “a “selected one of a plurality of light sources”, and Figs. 2-3 and col. 4, lines 51-65 of Davis as teaching “to indicate receipt of a message from a source”. These passages and figures illustrate and describe a command center display of a building emergency system capable of rendering displays of floor plans and of emitting a light or color in the representation of a room or floor for which an alert, such as a smoke alarm, is detected. The command center system receives these alerts from an emergency signal processing device (element 102 of Davis Figure 1), which in turn receives the alerts from a plurality of detectors dispersed throughout the building (see col. 3, lines 12-26).

Applicants respectfully submit that, while Keinonen and Davis may teach a processor capable of causing a light unit to light a selected one of a plurality of light sources, the references

do not teach or suggest *emulating* such causing, as recited by claim 73. The term *emulating*, as understood by those of ordinary skill, refers to imitation. And nothing in Keinonen or Davis suggests *imitating* the causing of a light unit to light a light source. In fact, by providing a processor capable of causing a light unit to light a light source, Keinonen and Davis arguably teach away from the *emulating* recited by claim 73.

Also, Keinonen and Davis do not suggest the *emulating* causing “to indicate receipt of a message from a source.” The Examiner notes that Davis teaches “when an emergency is triggered from a source, one of the LED lights up to indicate the source where the emergency occurs” (pg. 3 of the above-identified Office Action) and asserts that those teachings read on the *indicating* recited by claim 73. Applicants respectfully disagree. While the source of the emergency (e.g., detectors 122 of Davis Figure 1) is a “source”, the command center of Davis does not receive messages from the detectors. Rather, it receives messages from the emergency signal processing device 102. Even if the device 102 is taken as the “source”, Davis still does not teach or suggest *emulating* causing, or even simply causing, a light unit to light a light source to indicate receipt of a message from device 102. Rather, Davis teaches lighting of light sources to indicate an emergency at a specific location, regardless of who or what provided notification of that emergency. Thus, Davis acts as an emergency identifier rather than a message-sender identifier. Accordingly, one of ordinary skill would have no reason to modify Keinonen and Davis to identify the message sender, as doing so would not further Davis’ purpose of indicating where an emergency has occurred, and could even detract from the purpose by visually distracting the user with unnecessary visual inputs.

Further in support of the rejection, the Examiner cites col. 3, lines 59-65 of Davis as teaching “a virtual light unit having a plurality of virtual light sources”, and notes that “the status display 116 can be done or replaced with a monitor instead of LEDs”. Applicants do not disagree with the Examiner that numerous display devices (e.g., CRT monitors, LED monitors, etc.) may be used to render status display 116. This teaching, however, is entirely unrelated to a virtual light unit having a plurality of virtual light sources. Both monitors and LEDs are well recognized by those of ordinary skill as *actual* light units having *actual* light sources. Thus, they

simply do not suggest a virtual light unit. Further, claim 73 recites that the virtual light unit is rendered. Neither the monitor nor the LEDs of Keinonen and Davis are things to be rendered. Rather, they are things that are well recognized by those of ordinary skill as performing the rendering.

Accordingly, claim 73 is patentable over Keinonen and Davis under §103.

Claims 62 and 63 depend from claim 73, incorporating its limitations. Thus, for at least the same reasons as claim 73, claims 62 and 63 are patentable over Keinonen and Davis under §103.

2. On page 4 of the above-identified Office Action, claim 61 is rejected under 35 U.S.C. §103(a) as being unpatentable over Keinonen in view of Davis as applied to claim 73 and further in view of U.S. Patent No. 4,975,694 to *McLaughlin et al.* (hereinafter “McLaughlin”).

McLaughlin does not cure the above discussed deficiencies of Keinonen and Davis. Accordingly, claim 73 remains patentable even when Keinonen and Davis are combined with McLaughlin. Claim 61 depends from claim 73, incorporating its limitations. Thus, claim 61 is patentable over Keinonen, Davis, and McLaughlin under §103 for at least the same reasons that claim 73 is.

3. On page 5 of the above-identified Office Action, claims 64-71 are rejected under 35 U.S.C. §103(a) as being unpatentable over Keinonen in view of Davis as applied to claim 73 and further in view of U.S. Patent No. 6,753,842 to *Williams et al.* (hereinafter “Williams”).

Williams does not cure the above discussed deficiencies of Keinonen and Davis. Accordingly, claim 73 remains patentable even when Keinonen and Davis are combined with Williams. Claims 64-71 depend from claim 73, incorporating its limitations. Thus, claims 64-71 are patentable over Keinonen, Davis, and Williams under §103 for at least the same reasons that claim 73 is.

4. On page 7 of the above-identified Office Action, claim 72 is rejected under 35 U.S.C. §103(a) as being unpatentable over Keinonen in view of Davis and McLaughlin as applied to claim 61 and further in view of Williams.

Williams does not cure the above discussed deficiencies of Keinonen, Davis, and McLaughlin. Accordingly, claim 61 remains patentable even when Keinonen, Davis, and McLaughlin are combined with Williams. Claim 72 depends from claim 61, incorporating its limitations. Thus, claim 72 is patentable over Keinonen, Davis, McLaughlin, and Williams under §103 for at least the same reasons that claim 61 is.

#### **CONCLUSION**

In view of the foregoing, reconsideration and allowance of claims 61-73 is solicited in light of the arguments and amendments herein. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,  
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Date: January 7, 2008 by: /Robert C. Peck/  
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